

COMBINED DECLARATION FOR PATENT  
APPLICATION AND POWER OF ATTORNEY  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

19603/1552 (CRF D-2052B)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DNA CONSTRUCT TO CONFER MULTIPLE TRAITS ON PLANTS

the specification of which (check only one item below):

is attached hereto.

was filed as United States Patent Application Serial No. 09/025,635  
on February 18, 1998.  
and was amended  
on \_\_\_\_\_ (if applicable).

was filed as PCT International Application No.  
on \_\_\_\_\_  
and was amended under PCT Article 19  
on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specifications, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. 119:

COUNTRY (IF PCT, indicate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 USC 119
U.S.A.	60/035,350	19 FEB 1997	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
U.S.A.	60/062,870	21 OCT 1997	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

COMBINED DECLARATION FOR PATENT  
APPLICATION AND POWER OF ATTORNEY (Continued)  
(Includes Reference to PCT International Applications)

ATTORNEY'S DOCKET NUMBER

19603/1552 (CRF D-2052B)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT International filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT  
UNDER 35 U.S.C. 120:

U.S. APPLICATIONS		STATUS (Check One)		
U.S. APPLICATION NUMBER	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
PCT APPLICATIONS DESIGNATING THE U.S.				
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NUMBERS ASSIGNED (if any)		

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Michael L. Goldman, Reg. No. 30,727, Karla M. Weyand, Reg. No. 40,223, Peter Rogalskyj, Reg. No. 38,601

Send Correspondence to:	Michael L. Goldman Nixon, Hargrave, Devans & Doyle LLP Clinton Square, P.O. Box 1051 Rochester, New York 14603			Direct Telephone Calls to: (name and telephone number) Michael L. Goldman (716) 263-1304
2 0 1	FULL NAME OF INVENTOR	FAMILY NAME Pang	FIRST GIVEN NAME Sheng-Zhi	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY Ellisville	STATE/FOREIGN CTRY Missouri	COUNTRY OF CITIZENSHIP China
2 0 2	POST OFFICE ADDRESS	P.O. ADDRESS 2325 Crimson Court	CITY Ellisville	STATE & ZIP CODE/CTRY Missouri 63011
	FULL NAME OF INVENTOR	FAMILY NAME Gonsalves	FIRST GIVEN NAME Dennis	SECOND GIVEN NAME
2 0 2	RESIDENCE & CITIZENSHIP	CITY Geneva	STATE/FOREIGN CTRY New York	COUNTRY OF CITIZENSHIP United States
	POST OFFICE ADDRESS	P.O. ADDRESS 595 Castle Street	CITY Geneva	STATE & ZIP CODE/CTRY New York 14456
2 0 3	FULL NAME OF INVENTOR	FAMILY NAME Jan	FIRST GIVEN NAME Fu-h-Jyh	SECOND GIVEN NAME
	RESIDENCE & CITIZENSHIP	CITY Ithaca	STATE/FOREIGN CTRY New York	COUNTRY OF CITIZENSHIP Taiwan
	POST OFFICE ADDRESS	P.O. ADDRESS 134 Graham Road, Apt. 4-A3	CITY Ithaca	STATE & ZIP CODE/CTRY New York 14850

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 <i>Shengzhi Pang</i>	SIGNATURE OF INVENTOR 202 <i>Dene Gonsalves</i>	SIGNATURE OF INVENTOR 203 <i>Jay Fah-Jyh</i>
DATE <i>April 27, 1998</i>	DATE <i>April 23, 1998</i>	DATE <i>April 23, 1998</i>



PATENT

Docket No.: 19603/1552 (CRF D-2052B)

Applicant or Patentee: Sheng-Zhi Pang, Dennis Gonsalves, and Fuh-Jyh Jan  
Serial or Patent No.: 09/025,635  
Filed or Issued: February 18, 1998  
For: DNA CONSTRUCT TO CONFER MULTIPLE TRAITS ON PLANTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(F) AND 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Cornell Research Foundation, Inc.  
ADDRESS OF ORGANIZATION: 20 Thornwood Drive, Suite 105  
Ithaca, New York 14850

TYPE OF ORGANIZATION:

- [X] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- [ ] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
- [ ] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA (NAME OF STATE:) (CITATION OF STATUTE:)
- [ ] WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- [ ] WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA (NAME OF STATE:) (CITATION OF STATUTE:)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled [TITLE OF INVENTION] by inventor(s) [NAME(S) OF INVENTOR(S)].

described in

- [ ] the specification filed herewith.
- [X] U.S. Patent Application Serial No.09/025,635, filed February 18, 1998.

[ ] U.S. Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME:  
ADDRESS:

CORP. S. 1000

[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

NAME:  
ADDRESS:

[ ] INDIVIDUAL [ ] SMALL BUSINESS CONCERN [ ] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any changes in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: **H. Walter Haeussler**  
TITLE IN ORGANIZATION: **President**  
ADDRESS OF PERSON SIGNING: **20 Thornwood Drive, Suite 105**  
*H. Walter Haeussler*

*Ithaca, New York 14850*

SIGNATURE *H. Walter Haeussler* Date *March 17 1998*

\*Cornell Research Foundation, Inc., is a Corporation which is wholly owned by Cornell University handling Patents and Licensing.